

FILEDIN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.**JEREMY GUTMAN**

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February 8, 2006

Honorable Allyne R. Ross
United States District Court
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Application granted
S. ordered. s/Allyne Ross

*2/9/06**cc: counsel*

Re: United States v. Wilfred Lindsay
05 Cr. 564 (ARR)

Dear Judge Ross:

As discussed at the last status conference in this matter, the government has proposed providing information concerning its case against my client, Wilfred Lindsay, in the form of a "reverse proffer." We have now scheduled a meeting for that purpose at 10:00 a.m. on March 2, 2006.

Because Mr. Lindsay, who has qualified for representation pursuant to CJA, lacks the funds to travel to New York to attend that meeting, I am writing to request, pursuant to 18 U.S.C. § 4285, that the Court direct the United States Marshal to provide the necessary travel and subsistence expenses. Section 4285 provides that:

Any judge or magistrate judge of the United States, when ordering a person released under chapter 207 on a condition of his subsequent appearance before that court, any division of that court, or any court of the United States in another judicial district in which criminal proceedings are pending, may, when the interests of justice would be served thereby and the United States judge or magistrate judge is satisfied, after appropriate inquiry, that the defendant is financially unable to provide the necessary transportation to appear

before the required court on his own, direct the United States marshal to arrange for that person's means of noncustodial transportation or furnish the fare for such transportation to the place where his appearance is required, and in addition may direct the United States marshal to furnish that person with an amount of money for subsistence expenses to his destination, not to exceed the amount authorized as a per diem allowance for travel under section 5702(a) of title 5, United States Code. When so ordered, such expenses shall be paid by the marshal out of funds authorized by the Attorney General for such expenses.

Because Mr. Lindsay's attendance at the scheduled meeting is necessary to ensure that he will be in a position to make an informed decision regarding how to proceed in this matter, I request that the Court grant this application. A proposed order pursuant to section 4285 is attached to this letter.

Respectfully,

Jeremy Gutman
Attorney for Defendant
Wilfred Lindsay